

Mayor and Council Meeting  
March 25, 7:00 p.m.

Call to Order

Pledge

Roll Call - All Present

Mayor's Remarks

State Highway Administration - Rt.17 bridge will be netted to correct pigeon dropping problem.

Adelphi - Rosemont will be added to Channel 99 viewing beginning 4/1/03

Side discussions during Council Meetings are distracting and should cease.

Citizens Forum

Mike Sponsellar - Builder - Tap allocation policy - Inquires about word of moratorium- "lots of record" should be given preference.

Smith - Taps should not be reserved for all "lots of record" up front.

Mayor - Available taps are calculated by using 2000 - 2001 flows totals from State plus taps issued over the last year and taps reserved for Biser. Rick Stup is developing a process for this calculation. Must consider flows. *No sanitary sewer tap requests will be issued until allocation policy is developed.*

Stull - Biser taps will be used over a 7 year period, i.e., 40 a year, coupled with I&I correction will help situation.

Mayor - No moratorium in place.

Teresa Stocks - Yard Sale signs. \$10 fee unreasonable. After advertizing costs subtracted from revenue gained, nothing left.

Mayor - Ordinance requires costs. Discussion will occur later.

Roy Bates - Radio officer from Frederick County Amateur Society. Ham radios work after phones stop. Need volunteers.

Old Business:

Trash Collection Bid Award - James Castle  
Key Sanitation - \$260,350 ( \$8,977.61 monthly)  
BFI - \$221,808 ( \$9,242 monthly )

Waste Management - \$ 160,028 ( \$13,335 monthly

Motion - Castle - Recommend Award bid to Key Sanitation for \$8,977.61 per month.

Beginning May 1, 2003.

Second - Harrington

Vote 6-0 approved

New Business:

2<sup>nd</sup> & B Street bridge and retaining wall.

Dave - MDE will respond Friday to examine the area. Pre-application had been submitted and MDE is considering possible 50% grant funds and low-interest funding. ARRO preliminary costs are \$31, 698 for design.

Joe Moss - plans are to eliminate wall along 2<sup>nd</sup> Ave. and place pipes under 2<sup>nd</sup> roadway to connect to creek on eastside of 2<sup>nd</sup> Ave. Costs include engineer and administrative costs. Project difficult and costly due to drainage study that is required which includes the entire area, back to Souder Rd. Grant funds are part of project "Small streams and tributaries".

Mayor - Believes will should wait for MDE to respond and have finance committee to review.

Zoning/Re-development opinion letters. - Rick Stup

Requests are being received from mortgage companies for City's opinion regarding ability of a residence to be rebuilt if destruction occurs. Opinion consumes half a day to complete. Currently no fee is charged by City for this service. Believes some liability is passed to the City when issuing any type of guarantee for reconstruction at a later date. An administrative fee should be considered plus other costs, i.e., attorneys, engineer, etc.

Bell - Inquires who would be responsible if City did not complete.

Stup - Should be appraiser's responsibility, however, we may some responsibility to residents. Recommendation is to establish a fee, which may reduce number being received. City receiving blame for last minute request.

Smith - Requests by Nuses was legitimate, but others unreasonable. Can we differentiate between reasonable complaints and mortgage companies having City do their job.

Mayor - Request on C St. was from mortgage company in California. Asking for clear title from City is unreasonable.

Stup - Can answer many questions except where legal opinion is required. 60% are refinancing and others are re-listings.

Bell - If we would establish a fee then mortgage companies may do them.

Motion - Stull, create Administrative fee of \$100 commercial zoning opinion letters, plus other costs as dictated by staff report.

Second - Smith

Approved 6 - 0

Mayor - Oath of Office, Board of Appeals

Roy Bates, through June 30, 2003

Wayne Hawes, through March 31, 2003.

Proclamations:

Empty Bowls - April 8 empty bowls day, 5<sup>th</sup> annual banquet support

Yard Sale Zoning Certificate - Rick Stup

Zoning Ordinance requires \$10 zoning certificate. Previous practice was possibly to return fee when signs are taken down. In some cases money may have been improperly keeping money in desks. Section 22.3.G - specifies garage sales signs are commercial signs. Over a certain number of yard sales a year may fall into retail business and be state regulated. Options are to amend Zoning Ordinance or create policy to return fee.

Smith - If no signs are used, then ordinance doesn't apply.

Castle - Previous zoning administrator stated fee was returned if signs are removed.

Recommend is to amend ordinance or create policy to return.

Smith - Not in favor of causing Planner to go through town looking for sign removal.

Should exempt garage/yard sales.

Mayor - Changing zoning ordinance requires resolution, and cannot be addressed tonight.

Motion - Castle, begin process for modification to eliminate yard sales.

2<sup>nd</sup> - Smith, is motion to remove entire section?

Stup - Recommendation to amend ordinance to allow change in fees by resolution.

Castle - withdraw motion.

2<sup>nd</sup> - Smith

Stup - 40% of certificates issued are yard sales, up to 125 or 130 so far.

Motion should be instruct staff to recommend deleting fees from ordinance and allow fees determined by resolution.

Bell - Ordinance still applies to sign size, etc.

Stup - Currently require information on size, how many, etc.

Castle - Motion to instruct staff to conduct study to remove fees from zoning ordinance and allow changes by resolution.

Approved, Vote 6 - 0.

Castle - Signs come under code enforcement.

Castle - Motion to allow return of fee after yard sale if resident certifies that signs are removed.

2<sup>nd</sup> - Greenfield

Stull - Planner can not return fee, accountant must prepare check.

Stup - Check could be mailed.

Teresa Stocks - Have had 2 yard sales in 40 years. Have residents register.

Vote approved 5 - 1, Bell against.

Bell - Administrative nightmare to produce check and 14 days to send.

Street Sweeper -

Bell - Motion to re-bid

2<sup>nd</sup> - Stull

Harrington - result may be higher costs  
Smith - Agree with Harrington  
Bell - Called contractor to inquire why sweeping had not occur, did not have answer.  
Was unaware if sweeping was done or who did it.  
Smith - If problems were existing Council should notified.  
Chief - Street are being sweep earlier then signs dictate.  
Bell - Should re-bid and re-work contract  
Vote - 5 - 1, approved - Harrington against.

Mayor - Proclamation - Community Pride Month - April  
Clean Sweep on Saturday great success

Tap Allocations - Stup  
Habitat for Humanity -  
Motion to approve - Stull  
2<sup>nd</sup> - Harrington  
Vote approved 6 - 0

Gum Springs Rd / DVL, Lots 2, 3 & 6, 7 on H St.  
Public Works certifies infrastructure sufficiency.  
Motion - Stull to approve  
2<sup>nd</sup> - Castle  
Smith - Do not recall vote to open G St.  
Stull - Withdraw motion

Mayor - Requirements to open street if street on map?  
Castle - Vote required to open street first.  
Stup - City can not prevent opening platted streets with lots of record if paid for by developers.  
Mayor - City must accept roadway into system.

Lots 64 & 65 - Brunswick Industrial  
Smith - Inquires if taps should be issued in New Addition. We should consider increase in tap fee to match increases water rates for outside City.  
Mayor - Taps have been issued for at least 13 years.  
Darrell - Line is 3/4" in area. Kevin stated must extend line have provide blow-off.  
Mayor - Need to see line size, how many homes are serviced, and developer agreeing to terms.  
ARRO - Joe Moss - 3/4" is not sufficient to supply two homes.  
Motion to table until more information is obtained - Harrington  
2<sup>nd</sup> - Castle  
Vote 6 - 0 to table until next meeting.

Lot 110 West Potomac St. - Water and Sewer tap. Builder would be required to run line from Brunswick St. to back of property, 2" copper with blow-off. Recommendation to approve.

Bell - Inquires if water line tap would be made on private property.

Darrell Droneburg - Brunswick property. No private property. Line will come from off of 10" line. Supply line is 2" will supply six lots of record.

Joe Moss - 2" line will supply six lots.

Mayor - Would like to see developer agree to terms of tap before Council action and understand

Stup - Possible of two more houses in area off 2" line.

Developer Mark McCulley - Understand that supply was adequate.

Motion to approve.

2<sup>nd</sup> - Greenfield

Vote 6 - 0

Front Foot Assessment - Dave Dunn

Would amend the City's Charter. It would expand the authority of the City to levy special assessments against adjoining landowners for public improvements. Would expand the authority from streets, lanes, and alleys, to include retaining walls, water and sewer mains, and other public improvements.

Smith - Agrees

Harrington - Use of Park building for Safe and Sane.

Mayor - Non-profits can use building currently

Stull - Boy Scout project of painting will be taking place at no cost to City.

Bell - Sidewalk. No expansion joints. West Potomac St. sidewalks are one pour. Should be curb & gutter as one pour separate from sidewalk. Parking meters are also set to close to street.

Smith - Engineer should oversee project.

Castle - Tuesday, April 1 Meeting at City Park to discuss results from Economic Study

Motion to adjourn - Stull

Approved By: \_\_\_\_\_ Witness: \_\_\_\_\_  
Mayor Date City Administrator Date